

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**IN RE: NEW ENGLAND
COMPOUNDING PHARMACY, INC.
PRODUCTS LIABILITY LITIGATION**

**This Document Relates To:
All Actions
MDL No. 1:13-md-2419-FDS
MDL No. 1:13-md-2419-RWZ**

ORDER

AND NOW, this day of May, 2014, this matter having come before the Court on the application of Daniel J. Divis, Esquire and Frank A. Gerolamo, Esquire for the Defendants, Nazareth Hospital and Mercy Health System of Southeastern Pennsylvania, in the Multi-District Litigation, above captioned, and for good cause shown:

IT IS ORDERED that the Motion for Pro Hac Vice of Daniel J. Divis, Esquire and Frank A. Gerolamo, Esquire is hereby GRANTED.

BY THE COURT:

J

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MOTION FOR PRO HAC VICE

Pursuant to L.R. 83.5.3(b), MDL Order No. 1, attached hereto as Exhibit “A”, and MDL Document 827, Order on Admission of Attorneys, attached hereto as Exhibit “B”, attorneys Daniel J. Divis and Frank A. Gerolamo, move this Court for admission pro hac vice, on behalf of Named Defendants, Nazareth Hospital and Mercy Health System of Southeastern Pennsylvania, in the above captioned Matter. In support thereof, it is averred as follows:

1. Plaintiffs William Lewis and Nancy Lewis, h/w, initiated a personal injury action by filing a Complaint with the Court of Common Pleas in Philadelphia County, PA on January 15, 2014.
2. The case was removed to Federal Court in Pennsylvania, and finally consolidated as an MDL in the U.S. District Court in the District of Massachusetts.

3. Plaintiffs allege in the complaint that William Lewis suffered severe head and eye pain after receiving epidural steroid injection for the treatment of back pain, administered by Dr. Anderson on September 25, 2012.

4. The complaint alleges that the epidural steroid injection contained triamcinolone acetonide purchased from NECC and that Plaintiff received this medication during the time that the FDA warned it could be contaminated.

5. Attached hereto, as Exhibit “C” is an Affidavit sworn by Daniel J. Divis, of the firm Gerolamo, McNulty, Divis & Lewbart, 121 S. Broad Street, Suite 1400, Philadelphia, PA, 19107, affirming that he is an attorney admitted to practice in the Commonwealth of Pennsylvania and in the State of New Jersey in good standing, with no disciplinary proceedings pending and that he is familiar with the Local Rules of the U.S. District Courts for the District of Massachusetts and the Eastern District of Pennsylvania.

6. Attached hereto, as Exhibit “D” is an Affidavit sworn by Frank A. Gerolamo, of the firm, Gerolamo, McNulty, Divis & Lewbart, 121 S. Broad Street, Suite 1400, Philadelphia, PA, 19107, affirming that he is an attorney admitted to practice in the Commonwealth of Pennsylvania in good standing, with no disciplinary proceedings pending and that he is familiar with the Local Rules of the U.S. District Court for the District of Massachusetts.

7. Daniel J. Divis and Frank A. Gerolamo are the attorneys of record in the Lewis v. Nazareth action, which originated in the Philadelphia Court of Common Pleas, and are intimately familiar with the subject matter of this pending action.

8. Daniel J. Divis is an attorney at law admitted to practice before the bar of the United States District Court for the Eastern District of Pennsylvania and the Supreme Court of the Commonwealth of Pennsylvania.

9. Frank A. Gerolamo is an attorney at law admitted to practice before the bar of the United States District Court for the Eastern District of Pennsylvania and the Supreme Court of the Commonwealth of Pennsylvania.

WHEREFORE, Daniel J. Divis, Esquire and Frank A. Gerolamo, Esquire request this Court to enter an Order admitting them pro hac vice on behalf of Nazareth Hospital and Mercy Health System of Southeastern Pennsylvania.

Respectfully Submitted,

BY: _____
Daniel J. Divis, Esquire
Attorney No. 62260

And

BY: _____
Frank A. Gerolamo, Esquire
Attorney No. 35234

Attorneys for Defendants,
Nazareth Hospital and Mercy
Health System of Southeastern
Pennsylvania